

victim never entertained an idea of bringing in a charge of murder. Many of the jurors in the first degree were their decision, and no amount of argument could change their judgment.

Those who sat through the trial and watched the faces of the jurors were not surprised when they learned how the men had voted, with one exception. It had been thought generally that one of the strongest jurors for conviction was David May, who occupied the eleventh seat in the box. The opinion was based on knowledge of the fact that he had voted at other trials, and much surprise was expressed when it became known he had voted to acquit. On the first ballot, it was said May voted "guilty," but changed his vote on being convinced Young could have committed suicide.

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It had been decided the question of the degree of guilt should be left to a later ballot. When that was taken, it was found that all six who had voted for conviction were for manslaughter in the first degree.

When the result was announced a juror who had voted for acquittal exclaimed: "Well, if the jury had voted as there is no chance of sending that girl to the electric chair."

"A poor juror," he said, "who would down the room nervously while the ballots were being counted, said."

"I might be a juror," he said, "but I quit, but I would have stood my ground, even if I had been alone."

"No one believes there is a chance of acquittal in the first degree," cried a juror, who voted for conviction. "But I believe there was manslaughter, and I shall never be changed from my vote."

"Your position is hopeless," replied the juror who led the acquittal side. "You start out with a theory and then you make everything fit it."

#### Test With Coat and Pistol.

There was much arguing, and finally one of those voting for conviction said the evidence which decided him was the nature of the wound from which Young died was such it was impossible for him to have inflicted it.

"But that is only Rand's statement," replied one of the men, who favored Nan.

It was determined to send for the skeleton which had been exhibited in court, the clothes Young had worn and the pistol. The jurors tried on the coat and the pistol. The two coats were washed and waistcoat.

It was placed on the second man it proved a coat fitted the juror so well that it was proved whether Young could have shot himself. The juror took the pistol, aimed it as the testimony showed and the pistol was held when the mortal shot was fired, and pulled the trigger. The experiment was repeated three or four times. As the juror discarded the garment, he said:

"It is apparent to me Young could have shot himself. This is the end of the business for me. There is a reasonable doubt in my mind and I shall stand firm for acquittal."

#### Change Toward Leniency.

The second ballot was taken a little before 6 o'clock and showed seven for acquittal and five for conviction. Juror No. 11 had changed his vote. The jury adjourned for dinner before the third ballot was taken. When the men returned it was found Juror No. 2 had changed the acquittal side. There was no change in the subsequent ballots. The four who voted for conviction said that their minds were made up and no amount of argument could change their opinion. They had formed their opinion, not the oldest of the jurors, the strongest in his arguments for conviction.

Rand's contention that Young could not have killed himself was generally discarded. The jury also was impressed with the testimony of the juror who was too bitter. Much evidence was given to Mrs. Young several of the jurors saying that her story was colored.

Rand's address, it was apparent had not exerted much effect on the jurors. "There is nothing in the case," he has made out," said one. "I want to sleep comfortably the rest of my life, and I never could I sent that girl to the chair or to imprisonment on such evidence."

#### Pitiful Scene in Court.

It being apparent the jurors could not agree, word to that effect was sent to the recorder. Then followed one of the most heartrending scenes ever witnessed in a courtroom. It was 12:30 when the captain of the court guard shouted that the recorder was about to enter the room. The forty or more newspaper men who had waited wearily for word from the jury room sat up in their chairs, rubbed their eyes, and expressed the hope that the long wait was over. But an hour passed before the recorder took his seat. The jury had filed in a few minutes before, tired by constant arguing.

"Where is the prisoner?" asked the recorder. "She is ill," replied a court attendant. "That was the first intimation to those in the room that anything was the matter with Nan."

"Bring her before the bar," ordered the recorder. For ten minutes every eye was on the door leading to the prison pen. When the girl was brought in, she wore an electric shock had passed through the room.

Her hair was disheveled, her face chalky white, her stare vacant, and her step so tottering she was almost carried to her seat. She had been gone to realize what was taking place in the room. Tears rolled down the face of beholders who wondered whether the jury had agreed.

#### No Agreement; Sent Back.

"Gentlemen of the jury, have you come to an agreement?" asked Clerk Brophy. A silence ensued such as comes only in moments of great expectancy.

"No, we have not," the foreman replied. "We have sent a communication to the recorder."

Recorder Goff read the communication and sent the jury back for further deliberation. Those who had seen Nan Patterson in the court room said they could hardly believe their eyes as they saw the pale, thin woman of yesterday morning. It was as if death and blood suddenly had turned into a ghost. When the jury returned for a second time and Miss Patterson swooned in the room, the pity was general. It was felt that the eyes were turned on the father of the young woman. Despair was on his face; he was wringing his hands; it was apparent he had sounded the death of human woe.

Jerome Will Not Decide Until After His Return

ALBANY, N. Y., May 5.—District Attorney Jerome said today that he will not decide as to whether or not he will re-try Nan Patterson until he returns to New York on Monday. "It is impossible for me at this time," said the district attorney today, "to outline my plans for the future, so far as the Patterson case is concerned. Mr. Rand is tired out, and has left the city for a few days. I have not been notified how the jury stood, and will not know until I get back to New York. Immediately after the calendar is disposed of today I shall leave for Lakewood, Conn., and will remain there over Sunday. I expect to return to New York on Monday, and at that time will take up the matter and decide as to my future action."

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#### Woman Struck by Bullet.

For the first time since the strike developed a woman was shot yesterday. The victim was Mrs. W. Clare. She was attending to her household duties in her flat at 139 Twenty-eighth place, when some one in the mob below fired a bullet through a window of her home.

The bullet shattered the window pane, wounded the woman in the neck and crashed into a mirror. A physician said she would recover unless blood poisoning resulted.

During a second disturbance at the same stables John Dansbury, a non-union negro teamster, was shot. He had tried to strike a pack when strike sympathizers began to throw bricks and stones at the driver. A general fight broke out and Dansbury received a bullet in the leg.

Hunted by a furious mob, Otis Keith, a non-union teamster, was shot. He gained a respite from the mob and was recognized as a non-union driver and a crowd set upon him. He jumped upon a swiftly moving street car, but was pushed from the step by the conductor.

#### Under a Trolley Car.

Thoroughly frightened, Keith ran behind the street car, directly in the path of one moving in the opposite direction. He turned and tried to get out of the way, but scores of men stood in his way and the car struck him, knocking him down and bally cutting his head. Before the mob could do him further injury police men reached the scene and rescued him.

J. D. Schaffer, member of the executive committee of the Chicago Team Owners' Association, stood in his doorway, with a rifle at his shoulder, and protected an armed mob of more than 1,000 men from a mob of more than 1,000 men. The beaten pleading wretch, who had been shot, was taken to a hospital for protection.

With his life in an attack made on him by the Peabody Coal Company's yards. Police arriving rescued the negro to a street car.

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The man and woman formed an escort for the man and woman. The man was taken to a hospital for protection.

While a caravan of United States Express Company wagons was passing along Harrison street, near Wabash avenue, a crowd of several hundred persons collected and began throwing stones and bottles at the drivers.

Michael Smith, eighteen years old, who was in the crowd, was struck on the head with a bottle and severely cut. He was taken to a hospital for protection.

The crowd was finally scattered and the wagons safely reached their destination.

#### Waiter Is Rescued.

Policemen from the Maxwell street station rescued Samuel Spriggs, a negro waiter living at 556 State street, who was in danger of being killed at Lumber and Canal streets. He was walking along Canal street when attacked by a crowd of men who declared that he was a strike-breaker. Notwithstanding that he denied it and offered to prove his identity, his assailants continued to beat him. When rescued by the police the man was unconscious and was taken to the county hospital.

The police have learned of two cases of slugging of negroes innocent of connection with the strike. Both assaults took place on street cars at Twenty-sixth street and Stewart avenue. The first assault occurred on a street car at Twenty-sixth street, was on his way home at 10 o'clock. He was standing near the front platform when a dozen men rushed at him, calling him a scab. He ran through the car, but was caught by the men. He was taken home by a friend, and his injuries are reported to be serious.

#### Police Sworn In.

Three hundred and ninety-eight new policemen marched away from the city hall Wednesday to enter on their duties immediately. The response to Chief O'Neill's letter appointing the 850 men who had passed the civil service tests was prompt, and mounting to 800 that the officials hoped to enroll yesterday.

#### Group.

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#### MARRIED.

FERRIS-HARTNETT—At the Cathedral in Baltimore, Md., on August 3, 1934, DAN. W. FERRIS and MAMIE C. HARTNETT.

#### DIED.

ENDERS—On Friday, May 5, 1935, at 6:45 a. m., at her residence, 49 Massachusetts avenue, northwest, MARY, widow of the late John Enders.

MIDDLETON—On Thursday, May 4, 1935, SAMUEL, the beloved son of Mary and John Middleton, in the thirty-fifth year of his age.

Funeral from St. Augustine's Church, Saturday morning, May 6, at 10 o'clock. Friends and relatives invited to attend.

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